[Mr. T. A. Ramalinga Chettiyar] [13th November 1922

this motion to the 18th December next. It has been stated that copies of the Select Committee's report have been received very late and the amendments covering eleven pages were received by the members this morning at 11 o'clock. We have had no previous notice of these amendments. I think we should know what these amendments are and must have sufficient time to go through the Select Committee's report and send in our amendments. Therefore, I move for the adjournment of the further discussion of this matter to 18th December."

Mr. T. SIVASANKARAM PILLAI :—"I second it."

Diwan Bahadur M. KRISHNAN NAYAR :—"With reference to this motion I wish to say one or two words in support of this motion. I was a member of the Select Committee and there were very many important questions that came up for the consideration of the Committee, and the members disposed of the various items to the best of their ability. I believe there is something in what has been stated namely that this Bill with the report of the Select Committee has not been in the hands of the hon. Members sufficiently long and the large number of amendments that have been handed over to us this morning show the interest which the members of this Council take in this matter. I believe that, so far as I have been able to gather, the general sense of the House is that the consideration of this Bill should be adjourned. I understand also, I may be right or wrong, that the hon. Member on behalf of Government will not be opposed to the adjournment. That is what I understand and in any case that is the general sense of the House. There is one fact which I should like to mention and that is that this Bill has been under consideration in the Select Committee for over two years and no harm will be done by postponing the consideration of this for another month."

The hon. Khan Bahadur Sir MUHAMMAD HABIB-UL-LAH SAHIB Bahadur:—"I may at once state, Sir, that so far as I am concerned, I have not the least intention of hustling through any legislation. I quite realize that a large number of amendments have already been tabled and I also realize the fact that a pile of them was laid on the table of the House only this morning. Individually I am quite ready to proceed with every one of them, but I see that most hon. Members who are here plead unpreparedness. I have not the least intention of taking advantage of that unpreparedness. The more prepared they come the more hopeful would I be of probably convincing them so as to adopt my point of view (hear, hear), and therefore, Sir, I shall have no objection whatsoever to the postponement of the consideration of this Bill to the 18th December 1922."

4 p.m.

The motion was put and carried, and the further consideration of the Bill was accordingly postponed to 18th December 1922.

IX

A BILL TO AMEND THE MADRAS PORT TRUST ACT, 1905.

When the above subject was announced by the hon. the President, the hon. Sir CHARLES TODHUNTER (the Member in charge), coming in a little late, said :—"Mr. President, I owe you my sincere apologies for this delay. I had no idea that the other Bill would suddenly fall out, and I was correcting certain verbal alterations to this Bill that were brought to my notice at the last moment.

13th November 1922] [Sir Charles Todhunter]

"I beg to present the report of the Select Committee on the Bill to amend the Madras Port Trust Act, 1905. The list of amendments will at first sight appear somewhat formidable to members, but there is nothing in them that affects questions of substance. The amendment of the Act, as I have already explained, has been necessitated by defects in the existing Act in respect of three matters—(1) appointments, (2) the transfer of functions to shipping companies and (3) the issue of Port Trust securities. All these are technical questions and the Select Committee have had a good deal of difficulty in arriving at a form of wording which exactly meets all the technical difficulties that have arisen. I believe, however, that with the very skilled assistance of my hon. colleague the Law Member, we have at last arrived at a draft that will be found satisfactory.

"As I have already told the Council, the Bill is likely to be only a temporary measure, as the Government of India have general legislation on the subject in contemplation. We should have waited for this, but we wanted certain changes urgently. The most important of these are those relating to the question of Port Trust securities, in view of the fact that the Port Trust are contemplating the raising of a loan at a very early date. In these circumstances, I hope the Council will be ready to pass the Bill into law."

The hon. Mr. K. SRINIVASA AYYANGAR seconded the motion.

The motion that the Bill be taken into consideration was put to the House and carried.

The hon. Sir CHARLES TODHUNTER :—"Sir, I have also got certain amendments to the Bill."

The hon. the PRESIDENT :—"Probably it would meet the convenience of the House if I go on clause by clause. I will put the Bill through clause by clause, and the preamble will be put in the end."

Clauses 1 to 4 were then put to the House one by one, passed and added to the Bill.

Clause 5.

Mr. V. P. PAKKIRISWAMI PILLAI then moved the following amendment to clause 5 :—

For the word 'nine' on page 1, *substitute the word 'eleven'*.

In doing so, he said :—"Mr. President, Sir, nine members would not be sufficient because there are important trades to be represented. After all, there are only a few associations; one of them is the Skins and Hides Merchants, Association of Southern India and the other is the Piecegoods Association. They consist of many merchants and are safeguarding the interests of two of the most important trades in our Presidency. These being very important bodies which need representation, I hope that this amendment would be accepted by the Council."

Rao Bahadur P. C. ETHIRAJULU NAYUDU seconded the amendment.

The hon. Sir CHARLES TODHUNTER :—"Sir, I do not for a moment wish to decry the magnitude of the trade of the hide and skin merchants. My only difficulty in accepting this amendment lies in the fact that the bodies to which representation is given on the Port Trust are general mercantile bodies. There are the Chambers of Commerce representing the wholesale

[Sir Charles Todhunter] [13th November 1922

Clause 5—cont.

trade, and there is the Trades Association representing the retail trade of the Presidency, and if we are going to admit the claims of different sections of the trade to have separate representation upon this body, there is no knowing where we shall end. I am sure that many members of the Hides and Skins Merchants Association are members of the Southern India Chamber of Commerce, if they are not also members of the Madras Chamber of Commerce. Therefore, they have provision made for their representation and the magnitude of their representation on the Chamber of Commerce will be in accordance with the magnitude of their trade interests. So it is unnecessary to have them represented twice over, first through the general body and again by means of a special body. That is my sole reason for not accepting the amendment. I frankly recognize the magnitude of the interests of these particular branches of trade, but they are already sufficiently represented through the general body."

Mr. V. P. Pakkiriswami Pillai :—"Sir, I am not satisfied with the answer given, namely, that these trades are sufficiently represented. These are as important as the Madras Chamber of Commerce or the Southern India Chamber of Commerce or the Madras Trades Association. Unless special representation is given to them I do not think their interests would be sufficiently safeguarded. These hide and skin merchants are all Indians, and the value of their export trade comes to some crores of rupees. I hope, therefore, that my amendment will be accepted by the House."

Mr. Bradford Leslie :—"Mr. President, I wish to say a few words on this amendment. As Chairman of the Port Trust, I have given this subject my special and most careful consideration. I have had statistics prepared, which show as clearly as possible that the major trades of Madras are all adequately represented, although no doubt it is a difficult course to find out precisely if that is the case because it is difficult to trace the general movement of trade and its distribution. It seems to me from the figures that the representation provided is entirely adequate. I should like to add that my trustees are very much averse to any increase in their number, and they feel that they are already a somewhat unwieldy body. They are unanimously of opinion that the minimum should be fixed at nine. On these grounds, Mr. President, I should like to oppose this amendment."

The House divided with the following result :—

Ayes.

4–15 p.m.

1. Mr. R. K. Shanmukham Chettiyar.
2. Rao Bahadur T. A. Ramalinga Chettiyar.
3. Mr. K. Adinarayana Reddi.
4. S. R. Y. Ankinedu Prasad Bahadur.
5. Dr. M. Appalanarasayya Nayudu.
6. Mr. R. Appaswami Nayudu.
7. Rao Bahadur V. Appaswami Vandayar.
8. Rao Sahib S. Ellappa Chettiyar.
9. Rao Bahadur P. C. Ethirajulu Nayudu.
10. Diwan Bahadur Sir P. Tyagaraya Chettiyar.
11. Diwan Bahadur R. Venkataratnam Nayudu.
12. Mr. S. T. Shanmukham Pillai.
13. Rao Bahadur T. Balaji Rao Nayudu.
14. Mr. C. Ramalinga Reddi.
15. ,, W. Vijayaraghava Mudaliyar.
16. ,, B. Muniswami Nayudu.
17. ,, P. C. Muttu Chettiyar.
18. ,, A. T. Muttukumaraswami Chettiyar.
19. ,, M. Narayanaswami Reddi.
20. Rao Bahadur C. Natesa Mudaliyar.
21. Mr. V. P. Pakkiriswami Pillai.
22. ,, P. T. Rajan.
23. Diwan Bahadur T. N. Sivagnanam Pillai.
24. Mr. S. Somasundaram Pillai.
25. ,, A. Subbarayudu.

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Clause 5—cont.

Ayes—cont.

26. Diwan Bahadur K. Suryanarayanamurti Nayudu.
27. Mr. T. C. Tangavelu Pillai.
28. Mr. V. C. Vellingiri Goundar.
29. ,, C. Venkataranga Reddi.
30. Diwan Bahadur P. Kesava Pillai.
31. Diwan Bahadur M. Ramachandra Rao Pantulu.
32. Diwan Bahadur M. Krishnan Nayar.
33. Rao Bahadur A. S. Krishna Rao Pantulu.
34. Mr. C. V. Venkataramana Ayyangar.
35. Sriman Biswanath Das Mahasayo.
36. Diwan Bahadur Sir T. Desika Achariyar.
37. Mr. S. Muttumanikkachari.
38. Rai Bahadur T. M. Narasimhacharlu.
39. Rao Bahadur C. V. S. Narasimha Raju.
40. Mr. A. Ranganatha Mudaliyar.
41. Sriman Sasibhushan Rath Mahasayo.
42. Mr. M. R. Seturatnam Ayyar.
43. Diwan Bahadur D. Seshagiri Rao Pantulu.
44. Mr. T. Sivasankaram Pillai.
45. ,, R. Srinivasa Ayyangar.
46. ,, T. C. Srinivasa Ayyangar.
47. ,, M. Suryanarayana.
48. ,, S. Arpudaswami Udayar.
49. ,, T. Arumainatha Pillai.
50. Sri Meka V. Apparao Bahadur.
51. The Zamindar of Mandasa.
52. Mr. K. Prabhakaran Tampan.
53. A. D. M. Bavotti Sahib Bahadur.
54. Hamid Sultan Marakkayar Sahib Bahadur.
55. Khan Sahib Muhammad Abdur Rahim Sahib.
56. Saiyid Diwan Abdul Razaak Sahib Bahadur.
57. Khan Bahadur Muhammad Sadulla Badsha Sahib Bahadur.
58. Khan Bahadur Muhammad Usman Sahib Bahadur.

Noes.

1. The hon. Sir Charles Todhunter.
2. The hon. Khan Bahadur Sir Muhammad Habib-ul-lah Sahib Bahadur.
3. The hon. Mr. K. Srinivasa Ayyangar.
4. ,, the Raja of Panagal.
5. ,, Rai Bahadur K. Venkatareddi Nayudu.
6. ,, Rao Bahadur A. P. Patro.
7. ,, Mr. A. R. Knapp.
8. Mr. C. P. Ramaswami Ayyar.
9. ,, Bradford Leslie.
10. Capt. E. W. Huddleston.
11. Mr. F. J. Richards.
12. ,, C. W. E. Cotton.
13. ,, E. Periyanayagam.
14. Rev. W. Meston.
15. Mr. W. Alexander.

The amendment was passed, 58 voting *for* and 15 *against* it.

The following amendment was not then moved :—

Rao Bahadur P. C. Ethirajulu Nayudu :—

For the word 'nine' on page 1 *substitute the word 'eleven'*.

Mr. V. P. Pakkiriswami Pillai :—"Mr. President, I beg to move the amendment standing in my name, which is as follows :—

After the words 'Southern India Chamber of Commerce' insert the words 'one by the members of the Skins and Hides Merchants Association of Southern India and one by the members of the Piecegoods Association, Madras'.

"Sir, the Skins and Hides Merchants Association as well as the Piecegoods Association are very important trading bodies like any other body such as the Madras Chamber of Commerce or the Trades Association. Unless separate representation is given on the Port Trust for them, I am afraid the interests of the two bodies would not be sufficiently safeguarded. It may be said that many of these merchants are members of the other chambers of commerce and associations, but it is not always so and the number of representatives is not sufficiently large. The volume of trade carried on by those associations is also very large. The Piecegoods Association is a body of Indian members and all the consumers of piecegoods are the Indian public. That is so far as the import trade is concerned.

[Mr. V. P. Pakkiriswami Pillai] [13th November 1922

Clause 5—cont.

"As for export trade the Skins and Hides Merchants Association of Southern India carry on the biggest volume of trade among Indians and they are exporting many crores worth of goods.

"For these reasons, I request the House to accept the amendment."

Rao Bahadur P. C. ETHIRAJULU NAYUDU :—"Sir, I second the amendment. The importance of these two associations is treated fully in a document I have in my hands. They play a very great part in the export and import trade of this Presidency, and I therefore trust that the hon. Member in charge of this Bill will honourably accept the amendment without raising any objections (laughter)."

The hon. Sir CHARLES TODHUNTER :—"Sir, after the vote on the last amendment, I am afraid there is not much use in my opposing this amendment, but I do so as a matter of principle. The effect of this amendment is to give the Southern India Chamber of Commerce four members, and that is a representation far in excess of the share of trade done by that Chamber. That is the sole reason why we did not provide further representation to the Southern India Chamber of Commerce in the original Bill. This matter was discussed fully in the Select Committee on which there was a member representing that Chamber. I cannot give you the statistics of the trade myself, but, Sir, with your permission, I will ask the Chairman of the Port Trust to give the statistics which he has had collected."

Mr. BRADFORD LESLIE :—"Mr. President, I was not aware that this Bill was coming on so soon. I beg to say that I have not the statistics of trade with me. But I can definitely state, however, that taking the balance of trade between Indian and European firms the proportion of representation out of fifteen trustees would be 4½ Indians and 10½ Europeans. This proportion is arrived at after carefully analysing the trade report. It seems to me that if this amendment is carried, you will have an Indian representation far larger than it merits. It is only right and just that representation on the Board of Trustees should be in proportion to the balance of trade, and I may state that I will be able to produce the figures on the subject of trade to-morrow as I have to get them from my Traffic Manager or the Auditor. I really have nothing futher to say except to ask you to bear in mind very fully the volume of the respective trades in voting on this amendment."

Khan Bahadur MUHAMMAD USMAN SAHIB :—"Mr. President, at the last meeting of the Council when this Bill was introduced I raised the question of Muhammadan representation and said that as most of the members of the Skins and Hides Merchants Association were Muhammadans, that association should be given a representation on the Port Trust Board and I also raised this question in the Select Committee and pointed out that this association should be given representation on the Port Trust. Now, I am glad, Sir, that this amendment proposes to bring two representatives for two important trades, namely, the skins and hides trade and the piecegoods trade, which are the two most important trades in Madras, in the constitution of the Port Trust. I have therefore very great pleasure in supporting this amendment."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—"Sir, I should like to ask the hon. Member in charge of the Bill whether the Madras Chamber of Commerce, which is given representation here, contains any Indian members,

Clause 5—cont.

and whether the figures he has given for Europeans and Indians apply respectively to the Madras Chamber of Commerce and the Southern India Chamber of Commerce. It may be that the members of one association may or may not be on the other. What we really like to know is what amount of trade is in the hands of the non-members of the Madras Chamber of Commerce and the Southern India Chamber of Commerce. The hon. Member who has spoken about the statistics of trade will tell us if the figures which he mentioned also represent the trade of the Skins and Hides Merchants Association and the Piecegoods Association. He gave us figures relating to two communities and laid stress on the disparity between one community and another in regard to trade and objected to equal representation. That argument does not seem to hold good unless he tells us that by the European community he means those members of the Madras Chamber of Commerce and the Trades Association, and by the Indian community those of the Madras Chamber of Commerce and of the Southern India Chamber of Commerce. It cannot be said that the European community means the Madras Chamber of Commerce, nor can it be said that the Southern India Chamber of Commerce means the Indian merchants of Madras."

The hon. Sir Charles Todhunter :—" Sir, I am very grateful to the hon. Member for raising this question. I believe the figures which the Chairman of the Port Trust gave are figures for Europeans and Indians respectively. As Mr. Ramachandra Rao has suggested, the Madras Chamber of Commerce is not solely a European Chamber. The Trades Association not only is not a purely European body, but has been represented in the past by an Indian. I believe it is the fact that there are several gentlemen who are members of both the Southern India Chamber of Commerce and the Trades Association, while as regards the Madras Chamber of Commerce double representation is confined to a single individual, the Chairman of the Trades Association, who is by courtesy an honorary member of the Madras Chamber of Commerce; so that this tends to show that European representation as worked through this system of election is very much less than if these bodies were respectively European and Indian."

4-30 p.m.

Mr. A. Ranganatha Mudaliyar :—" Sir, even on the basis of the figures furnished by the Chairman of the Port Trust, I should say there is a case for the amendment that is now placed before the House. The argument that because the Indian trade is about three-sevenths of the European trade the representation should bear the same proportion cannot be accepted. For, Sir, we are not for keeping this proportion of the Indian trade always at three-sevenths and we want to increase it in course of time and the representation now suggested would help us in that direction."

The amendment was then put to the House and carried.

The following amendment was not then moved :—

Rao Bahadur P. C. Ethirajulu Nayudu :—

After the words 'Southern India Chamber of Commerce' insert the words 'one by the members of the Skins and Hides Merchants Association of Southern India and one by the members of the Piecegoods Association, Madras.

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Clause 5—cont.

The hon. Mr. K. SRINIVASA AYYANGAR :—" Sir, before I move the amendments on the Government side, I want to mention that in consequence of the amendments now passed by the House, there are several changes which will have to be carried out in the wording of some other clauses, sub-clauses, etc. For instance, I may illustrate at once, by taking the amendment that has now been carried out, e.g , the insertion of ' eleven ' for ' nine ' in clause 5 of the Bill. Consequent upon the passing of the above amendment the wording in section 8 at page 2 requires a little alteration. In line 3 at page 2, we have ' Of the remaining trustees four shall be elected by the members for the time being of the Madras Chamber of Commerce. . .' Then it will be necessary to add ' one by the Skins and Hides Merchants and one by the Piecegoods Merchants Association.' There may also be further changes necessary, and I do not therefore think that I can move any amendments without fully examining the whole thing. However, Sir, let me move some amendments which are absolutely of a formal nature or are due to some clerical errors.

" With regard to the proposed section 10, sub-clause (vii) at page 3, you will see ' being a person to whom, or a member of a firm or company to which any of the functions specified in sub-sections (1) and (2) of section 39 shall have been relinquished under section 41-A.' That is how it stands at present. But as a matter of fact it is not sub-sections (1) and (2) but it is really clauses (*a*) and (*b*) of sub-section (1) of section 39. The amendment that I wish to propose in that page is : ' In clause 5 of the Bill in the proposed section 10 (1) (*e*) (vii) *for* the words " in sub-sections (1) and (2) of section 39 " *substitute* " in clauses (*a*) and (*b*) of sub-section (1) of section 39 ".' "

The hon. Sir CHARLES TODHUNTER :—" I second it."

The amendment was then put and carried.

The hon. Mr. K. SRINIVASA AYYANGAR :— " In the same clause in the proposed section 13, page 4, we have the following ' if the Chairman or any other trustee appointed under section 9 . . . .' Here instead of the figure ' 9 ' substitute the figure ' 8 '."

The hon. Sir CHARLES TODHUNTER :—" I second it."

The amendment was put and carried.

The hon. Mr. K. SRINIVASA AYYANGAR :—" So far as clause 5 is concerned, I request you, Sir, not to put the clause to the vote of the House. There are certain consequential amendments that have to be made. I think it will be more convenient if clause 5 is taken up to-morrow morning so that in the meanwhile I can be ready with the amendments necessary."

Further consideration of clause 5 of the Bill was then postponed to the next morning.

Clause 6.

The hon. Mr. K. SRINIVASA AYYANGAR :—" Here again, Sir, owing to certain clerical errors, I am obliged to come forward with an amendment. I may explain as follows : Clause 6 now reads ' In section 18 of the principal Act (1) the words and figures " section 12 or " shall be omitted, (2) for the figure 15 the figure 8 shall be substituted . . .' I shall

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Clause 6—cont.

read the original section to make myself clear. The original section to which I proposed an amendment now is ' . . . in electing any trustee under section 12 or section 15'. Section 12 has now gone out and that has nothing to do with the election. Section 15 also has gone out and that again has nothing to do with the election. The substitution proposed in item 2 was to omit section 12 and leave section 15. I now want to have instead 'under section 8 or 13'. It is for the purpose of rectifying that by adding the words and figure 'or section 13' that I propose to move the amendment. The amendment therefore will be 'substitute for the word and figure "section 15" the words and figures "section 8 or section 13".'"

The hon. Sir CHARLES TODHUNTER:—"I second it."

The amendment was put and carried.

Clause 6 as amended was then put, passed and added to the Bill.

Clauses 7 *to* 13.

Clauses 7 to 13 were put one after another, passed and added to the Bill.

Clause 14.

The hon. Mr. K. SRINIVASA AYYANGAR:—"In clause 14, after the words 'Deputy Conservator', I propose the addition of the words 'of the Port'."

The hon. Sir CHARLES TODHUNTER seconded the amendment.

4-45 p.m. The amendment was put and carried and clause 14, as amended, was then put, passed and added to the Bill.

Clause 15.

Clause 15 was put, passed and added to the Bill.

Clause 16.

The hon. Mr. K. SRINIVASA AYYANGAR:—"It is a long clause and I am afraid I shall be obliged to make several verbal amendments to many of the proposed sections. The first amendment that I propose is—

In the proposed sections 39, 40 *and* 41 *for the word 'delivery' wherever it occurs, substitute the word 'charge'.*

"I can draw the attention of hon. Members to some places where the word 'delivery' occurs. For instance, in clause (3) at page 6, we have 'The Board shall, if required, take delivery . . .' There I use the word 'charge', because the technical word 'delivery' may cause trouble."

The hon Khan Bahadur Sir MUHAMMAD HABIB-UL-LAH SAHIB Bahadur seconded the amendment which was put and carried.

The hon. Mr. K. SRINIVASA AYYANGAR:—"In the proposed section 40, sub-section (2), owing to a mischance, something has been wrongly copied. Hon. Members have noticed the words 'unless notice of such loss shall have been given within one month of the date of the discovery of the loss or damage by the owner'. The original Act is in these words, viz.: 'from the date of the receipt given for the goods under sub-clause (3) of section 39'.

[Mr. K. Srinivasa Ayyangar] [13th November 1922

Clause 16--cont.

Here they have substituted an indefinite time instead of a definite time as was provided in the original Act. The amendment which I therefore propose in order to bring it into conformity with the original Act is—

for the words 'discovery of the loss or damage by the owner' substitute the words 'receipt given for the goods under sub-section (3) *of section* 39'.

"This will restore the original language.'

The hon. Sir CHARLES TODHUNTER seconded the amendment which was put and carried.

The hon. Mr. K. SRINIVASA AYYANGAR :—"Under the proposed sub-section 41-A, at page 7, we have first of all to correct a printer's mistake, because the figure (1) has to be there after 41-A. My amendment is to insert the figure (1) after 41-A so as to convert it into a sub-section (1)."

The hon. Sir CHARLES TODHUNTER seconded the amendment which was put and carried.

The hon. Mr. K. SRINIVASA AYYANGAR :—"Then my next amendment is to sub-section (*a*) which is similar to the one which I proposed before. We have got there the words 'enter into an agreement relinquishing the performance of any of the services specified in sub-sections (1) and (2) of section 39'. As I pointed out before, it ought to be 'clauses (*a*) and (*b*) of sub-section (1) of section 39'. My amendment is—

for the words 'sub-sections (1) *and* (2) *of section* 39' *substitute 'clauses* (*a*) *and* (*b*) *of sub-section* (1) *of section* 39'."

The hon. Khan Bahadur Sir MUHAMMAD HABIB-UL-LAH SAHIB Bahadur seconded the amendment, which was put and carried.

The hon. Mr. K. SRINIVASA AYYANGAR :—"In clause (*b*) of the same section instead of '41' it ought to be '40'. I am therefore proposing—

for the figure '41' *substitute the figure* '40' *in sub-clause* (1) (*b*) *of* 41-*A*."

The hon. Khan Bahadur Sir MUHAMMAD HABIB-UL-LAH SAHIB Bahadur seconded the amendment, which was put and carried.

The hon. Mr. K. SRINIVASA AYYANGAR :—"At page 8 in sub-section (3) of the same section 41-A, you have got a similar provision 'specified in sub-section (1) or (2) of section 39', which ought to be 'specified in clauses (*a*) and (*b*) of sub-section (1) of section 39'. My amendment is—

in sub-section (3) *of section* 41-*A for the words 'in sub-section* (1) *or* (2) *of section* 39' *substitute the words 'in clause* (*a*) *or* (*b*) *of sub-section* (1) *of section* 39'."

The hon Khan Bahadur Sir MUHAMMAD HABIB-UL-LAH SAHIB Bahadur seconded the amendment which was put and carried.

The hon. Mr. K. SRINIVASA AYYANGAR :—"In sub-clause (4) *for* the figure '41' *substitute* the figure '40'."

The hon. Khan Bahadur Sir MUHAMMAD HABIB-UL-LAH SAHIB Bahadur seconded the amendment which was put and carried.

Clause 16, as amended, was then put to the House, passed and added to the Bill.

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Clause 17.

The hon. Mr. K. SRINIVASA AYYANGAR :—"I have a small amendment, which is :

add the word 'vessels' before the word 'passengers' in the proposed section 42, *sub-section* (*e*)."

The hon. Khan Bahadur Sir MUHAMMAD HABIB-UL-LAH SAHIB Bahadur seconded the amendment which was put and carried.

Clause 17 was then put as amended and passed and added to the Bill.

Clauses 18 to 31 of the Bill were put together and carried and were added to the Bill.

5 p.m. The hon. the PRESIDENT :—"So far as I am able to see, clause 5 remains to be passed and the preamble will be taken up after that to-morrow."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—"Mr. President, I would like to make a representation to you with reference to the way in which we, in this House, have reason to complain. The first thing is that whenever amendments are carried by the House and a part of the Bill stands over for consideration the next day, it used to be the practice to print all the amendments carried so far and to supply the Bill printed as amended to Members of the House. Nothing of the kind is now being done and considerable inconvenience is now being felt when a Bill is taken up again for consideration the next day for the reason that amendments as accepted by the House are not supplied to us in print to enable us to follow the discussion and to see what further consequential amendments would be necessary. The difficulty is illustrated in the present case.

"The second observation that I like to make for promoting the convenience of the Members is this. It was the practice hitherto to supply a copy of the Act to which the Bill is an amendment to each Member of the House. That practice has been given up. The hon. Member now takes the original Act and reads the sections and we are not able to follow him on the spur of the moment.

"Lastly, notwithstanding the constitution of a Law Department, our legislation here is getting more and more unsatisfactory. We have been pointed out many mistakes and I regret to say that it is entailing a waste of public time. Hon. Members of this Council would surely support me in saying that we would like things to be done a little better than they have been. I do not wish to cast any reflection upon anybody. We come from long distances and our time is wasted in discovering mistakes in the Bills placed before us. I must complain that considerable public time is being wasted. I trust I have not said anything derogatory to the position of any Member of this House. But I do feel very strongly that when amendments are proposed at the spur of the moment, it becomes impossible for us to follow the discussion. We have a duty to ourselves to see that legislation in this Council is perfect, as far as we can make it. So many amendments have been proposed and probably my hon. friend the Law Member may find more mistakes to-morrow and propose more amendments. I confess, Sir, I do not understand why amendments should be proposed in this haphazard manner and why these mistakes should have occurred in the drafts.

[Mr. M. Ramachandra Rao Pantulu] [13th November 1922

" I wish, therefore, Sir, that instructions may be issued that whenever Bills are brought up for consideration the amended Bill, so far as it has gone on, should be printed and supplied to us on the following day. I also make a further request that copies of the Act under amendment are placed in our hands."

The hon. the PRESIDENT :—" To-morrow we would have to pass clause 5 and the preamble of the Bill. I would strongly advise Government in cases like this not to press for the immediate passing of the Bill but subject the Bill to a careful scrutiny and bring it at a later stage with such further amendments as they would consider necessary. I am not bound to give that advice, but still that strikes me. I am probably going a little out of the way in the matter. After the large number of amendments which have been carried and probably some others which might have escaped our notice might be necessary, I think, that if the measure is not of a very urgent nature and can lie over for a month, the Law Member can assure us after a careful examination of the whole that nothing more is necessary and we can then with clear conscience pass the Bill. The matter is entirely a suggestion for the consideration of the Government when they come to that stage to-morrow. That, I think, will meet the difficulty mentioned by the hon. Member, Mr. Ramachandra Rao.

" I think the hon. Member, Mr. Ramachandra Rao, if I may venture to say so, forgets that the remedy for many of the evils complained of lies in the Standing Orders. If the hon. Member finds that a certain procedure adopted by Government is defective, he can always control it with the aid of the Standing Orders."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—" As regards the printing of the amendments for distribution, we think it is a matter entirely left to you."

The hon. the PRESIDENT :—" It is probably not."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—" I don't know, Sir. When a Bill is under consideration, I always think that the Bill circulated amongst us is circulated by the Legislative Council office."

Rao Bahadur P. C, ETHIRAJULU NAYUDU :—" I wish to point out that there is also a printer's error in the Bill. There is no clause No. 30 in the Bill. Cause 20 is printed after clause 29 ; '20' is apparently an error for '30' and this also requires correction at the hands of the hon. the Law Member."

The hon. the PRESIDENT :—" It is supplied to us by the department. There is, I admit, some confusion in the matter. It does seem to me that it is a matter of procedure and the Council has complete control over its own procedure. I, as President, exercise certain authority which belongs to the Council. If in the light of experience the House wants a certain procedure to be adopted, the best thing would be to bring it under the Standing Orders and not make a personal appeal to this or that member. It does occur to me that the Standing Orders should be elaborated from time to time in the light of actual experience."

The House then adjourned to meet again at 11 a.m. on Tuesday, the 14th November 1922.

L. D. SWAMIKANNU,
Secretary to the Legislative Council.